

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Edward Litwinski	Examiner:	Kiley Stoner
Serial No.:	10/035,865	Filed:	December 26, 2001
Patent No.	6,780,525	Date of Patent:	Aug 24, 2004
Docket No.	99-351	Assignee:	The Boeing Company
Title:	High Strength Friction Stir Welding		

SUBMISSION BY PATENT OWNER UNDER 37 C.F.R. §1.501

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The information enumerated in the attached PTO Form SB/42, Information Disclosure Citation in a Patent Under 37 C.F.R. §1.501, was identified during an Opposition proceeding against European Patent EP1334793, which is a counterpart of the subject U.S. patent 6,780,525. The allegations of the Opposition, see Attachments, indicate the relevance of the cited documents. A complete record of the Opposition proceeding can be found on the EPO Register Plus website: www.epoline.org/registerplus and EP1334793.

Explanation Of How The Claims Differ From This Information.

The claims of the U.S. patent differ from the information contained in these documents in at least the following respects:

- Claim 1 recites preheating a tool in order to inhibit the grain growth in a weld joint.
- None of the documents teach or suggest such a welding device.

Conclusion: The information provided with this Statement taken either alone or in combination with the information already of record in the subject patent does not raise a substantial new issue of patentability.

Please make this Statement and the enclosed information of record in the subject patent, as allowed under 37 C.F.R. §1.501.

Respectfully submitted,

HOPE BALDAUFF HARTMAN, LLC

/Michael J. Baldauff, Jr./

Date: October 19, 2009

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